DEFENSE

Eyesafe Laser Radar

Agreement Between the
UNITED STATES OF AMERICA
and JAPAN

Effectuated by Exchange of Notes
Signed at Washington September 20, 1996
NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89–497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

"... the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence ... of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof."
JAPAN

Defense: Eyesafe Laser Radar

Agreement effected by exchange of notes
Signed at Washington September 20, 1996;
Entered into force September 20, 1996.
The Japanese Ambassador to the Secretary of State
4  この了解を実施するための実施細目取扱は、両政府の権限のある当局の代表者間で締結される。日本国政府の権限のある当局は、防衛庁であり、アメリカ合衆国政府の権限のある当局は、国防省である。

5  この了解に基づく展開については、両国国政府間の合意を経て両者による交渉を行うが、財政上の債務の負担及び支出は、それぞれの国の憲法及び法律上の規定に従った予算の承認を得たところにより行う。

本省は、前記の了解に基づき両国国政府間の合意を経て両者による交渉を行い、財政上の債務の負担及び支出に係る予算の承認を得たところにより行う。
千九百九十六年九月二十日にワシントンで

アメリカ合衆国駐在

日本国特命全権大使

ワーレン・M・クリストファー閣下

兵藤

大信
Translation

Washington, September 20, 1996

Excellency,

I have the honor to refer to the Mutual Defense Assistance Agreement between Japan and the United States of America signed at Tokyo on March 8, 1954 (hereinafter referred to as "the MDA Agreement").¹ which provides, inter alia, that each Government will make available to the other such equipment, materials, services, or other assistance as the Government furnishing such assistance may authorize, in accordance with such detailed arrangements as may be made between them.

The representatives of the Government of Japan and the Government of the United States of America have recently held discussions for the purpose of concluding such detailed arrangements as mentioned above concerning a program for the cooperative research of Eyesafe Laser Radar (hereinafter referred to as "the Program"). The following is the understanding of the Government of Japan regarding the results of the above-mentioned discussions:

1. In accordance with the detailed implementing arrangements to be concluded under paragraph 4, the Government of Japan and the Government of the United States of America will mutually provide information, equipment, and materials which are necessary to implement the Program. Two Governments shall jointly bear the cost necessary for the execution of the Program.

2. The Program will be undertaken with the participation of the industries of Japan and the industries of the United States of America.

His Excellency
Warren M. Christopher
The Secretary of State
of the United States of America

¹TIAS 2957; 5 UST 661.
3. The present understanding will be implemented in accordance with the MDA Agreement and arrangements concluded thereunder, including the Agreement between the Government of Japan and the Government of the United States of America to Facilitate Interchange of Patent Rights and Technical Information for Purposes of Defense signed at Tokyo on March 22, 1956.¹

4. The detailed implementing arrangements to implement the present understanding will be concluded between representatives of the competent authorities of the two Governments. The competent authority of the Government of Japan will be the Defense Agency; the competent authority of the Government of the United States of America will be the Department of Defense.

5. The financial obligations and expenditures incurred by the Government of Japan and the Government of the United States of America under the present understanding and all arrangements to be concluded hereunder will be subject to budget authorization pursuant to the constitutional and legislative provisions of the respective countries.

I have the honor to propose that, if the above understanding is acceptable to the Government of the United States of America, the present Note and Your Excellency’s reply of acceptance shall be regarded as constituting an agreement between the two Governments which shall enter into force on the date of Your Excellency’s reply and shall remain in force until six months after the date of the receipt of notice of termination by either Government.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

Kunihiko Saito
Ambassador Extraordinary and Plenipotentiary of Japan
to the United States of America

¹TIAS 3585; 7 UST 1021.
Excellency:

I have the honor to acknowledge the receipt of Your Excellency’s note of today’s date, which reads as follows:

[For translation of the Japanese note, see pp. 5-6.]

I have the honor to confirm on behalf of the Government of the United States of America that the foregoing understanding is acceptable to the Government of the United States of America and to agree that Your Excellency’s note and this reply shall be regarded as constituting an agreement between the two governments which shall enter into force on the date of this reply and shall remain in force until six months after the date of receipt of the notice of termination by either government.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

For the Secretary of State:

Martha C. Harris

His Excellency
Kunihiro Saito,
Ambassador of Japan.